

MORGAN, LEWIS & BOCKIUS LLP
David L. Schrader, Bar No. 149638
david.schrader@morganlewis.com
300 South Grand Avenue
Twenty-Second Floor
Los Angeles, CA 90071-3132
Tel: +1.213.612.2500
Fax: +1.213.612.2501

Brian M. Ercole
(admitted *pro hac vice*)
brian.ercole@morganlewis.com
Matthew M. Papkin
(admitted *pro hac vice*)
matthew.papkin@morganlewis.com
600 Brickell Ave, Suite 1600
Miami, FL 33131-3075
Tel: +1.305.415.3000
Fax: +1.305.415.3001

Mark A. Feller, Bar No. 319789
mark.feller@morganlewis.com
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: +1.415.442.1000
Fax: +1.415.442.1001

Attorneys for Defendant Tesla, Inc.

Mitchell Breit (admitted *pro hac vice*)
mbreit@milberg.com
**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN, PLLC**
405 E. 50th Street
New York, NY 1002
Tel: (347) 668-8445

Attorneys for Plaintiffs in the Porter Action

Maggie Realin (SBN 263639)
mrealin@markham-law.com
The Markham Law Firm
888 Prospect Street, Suite 200
La Jolla, CA 92037
Tel.: 619.399.3995
Fax: 619.615.2067

Attorneys for Plaintiffs in the Corona Action

Sophia Goren Gold (Cal. Bar No. 307971)
KALIELGOLD PLLC
950 Gilman Street, Suite 200
Berkeley, CA 94710
sgold@kalielgold.com
(202) 350-4783

Attorneys for Plaintiffs in the Van Diest Action

**Additional Attorneys listed in signature block*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES PORTER, et al.

Plaintiffs,

v.

TESLA, INC.,

Defendant.

AND RELATED CASES:

ALEJANDRO CORONA, et al. v. TESLA, INC.
Case No. 4:23-cv-3902-YGR

SAMUEL VAN DIEST, et al. v. TESLA, INC.
Case No. 4:23-cv-4098-YGR

Case No. 4:23-cv-03878-YGR

**STIPULATION TO CONTINUE THE
MOTION TO COMPEL
ARBITRATION AND MOTION TO
DISMISS HEARING DATE**

Judge: Hon. Yvonne Gonzalez-Rogers

Current Hearing Date: January 30, 2024

Proposed Hearing Date: February 13, 2024

Pursuant to N.D. Cal. Civ. L.R. 6-2, Defendant Tesla, Inc. (“Tesla”) and Plaintiffs James Porter, Bryan Perez, Dro Esraeli Estepanian, Dennis Romanez, Artem Kupriets, Neil Kruezer, Wafay Nadir, Kenneth Brown (“the *Porter* Plaintiffs”), Alejandro Corona, Anita Jackson Newman, and Cabanillas & Associates P.C. (“the *Corona* Plaintiffs”), Samuel Van Diest and Sergey Khalikulov (“the *Van Diest* Plaintiffs”) (collectively with the *Porter* Plaintiffs and the *Corona* Plaintiffs “Plaintiffs” and together with Tesla, the “Parties”), by and through their undersigned counsel, stipulate as follows:

WHEREAS, Tesla’s Motion to Compel Arbitration as to the *Porter* Plaintiffs and the *Van Diest* Plaintiffs’ claims is fully briefed and set to be heard on January 30, 2024 (*See* Dkt. Nos. 43-46 and 48 in the *Porter* Action);

WHEREAS, Tesla’s Motion to Dismiss the *Corona* Action is fully briefed and is also set to be heard on January 30, 2024 (*See* Dkt. Nos. 26-28 in the *Corona* Action);

WHEREAS, on January 30, 2024 beginning at 10:00 a.m., counsel for Tesla has an in-person hearing on eleven motions *in limine* in *Salas et al. v. Toyota Motor Sales, U.S.A., Inc.*, Case No. CV15-08629 HDV (E) (C.D. Cal), which is set to start trial on February 27, 2024, in Los Angeles, California before the Honorable Judge Hernán D. Vera (Declaration of Mark A. Feller (“Feller Decl.”) ¶ 2);

WHEREAS, the motion *in limine* hearing in *Salas* creates a conflict for counsel for Tesla with the in-person hearing on the Motion to Compel Arbitration and Motion To Dismiss (*Id.*);

WHEREAS, the Parties have conferred and agreed to continue the hearing on the Motion To Compel Arbitration and Motion To Dismiss to February 13, 2024 at 2:00 p.m., provided that this new date and time is workable for and acceptable to the Court (Feller Decl. ¶ 3);

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the respective Parties hereto, that:

1. The Hearing on the Tesla’s Motion To Compel Arbitration and its Motion To Dismiss, currently set for January 30, 2024 is continued to February 13, 2024 at 2:00 p.m.

IT IS SO STIPULATED AND AGREED.

1 Dated: January 18, 2024

2 By /s/ Mark A. Feller

3 MORGAN, LEWIS & BOCKIUS, LLP

4 Mark A. Feller

5 mark.feller@morganlewis.com

6 One Market, Spear Street Tower

7 San Francisco, CA 94105

8 Phone: (415) 442-1000

9 *Attorneys for Defendant Tesla, Inc.*

10 Dated: January 18, 2024

11 By /s/ Mitchell Breit

12 Adam A. Edwards (admitted *pro hac vice*)

13 aedwards@milberg.com

14 William A. Ladnier (CA Bar No. 330334)

15 wladnier@milberg.com

16 Virginia Ann Whitener (admitted *pro hac vice*)

17 gwhitener@milberg.com

18 MILBERG COLEMAN BRYSON

19 PHILLIPS GROSSMAN, PLLC

20 800 S. Gay Street, Suite 1100

21 Knoxville, TN 37929

22 Tel: (865) 247-0080

23 Fax: (865) 522-0049

24 Mitchell Breit (admitted *pro hac vice*)

25 mbreit@milberg.com

26 MILBERG COLEMAN BRYSON

27 PHILLIPS GROSSMAN, PLLC

28 405 E. 50th Street

New York, NY 1002

Tel: (347) 668-8445

Attorneys for the Porter Plaintiffs

Dated: January 18, 2024

By /s/ Lisa Brevard

David R. Markham (SBN 071814)

dmarkham@markham-law.com

Maggie Realin (SBN 263639)

mrealin@markham-law.com

Lisa Brevard (SBN 323391)

lbrevard@markham-law.com

The Markham Law Firm

888 Prospect Street, Suite 200

La Jolla, CA 92037

Tel.: 619.399.3995

Fax: 619.615.2067

Attorneys for the Corona Plaintiffs

Dated: January 18, 2024

By /s/ Sophia G. Gold

Sophia Goren Gold (Cal. Bar No. 307971)
KALIELGOLD PLLC
950 Gilman Street, Suite 200
Berkeley, CA 94710
sgold@kalielgold.com
(202) 350-4783

Jeffrey D. Kaliel (Cal. Bar No. 238293)
KALIELGOLD PLLC
1100 15th Street NW, 4th Floor
Washington, DC 20005
jkaliel@kalielpllc.com
(202) 350-4783

Francisco Guerra IV (admitted *pro hac vice*)
Jennifer A. Neal (admitted *pro hac vice*)
WATTS GUERRA LLP
875 East Ashby Place, Suite 1200
San Antonio, TX 78212
fguerra@wattsguerra.com
jneal@wattsguerra.com
(210) 447-0500

Attorneys for the Van Diest Plaintiffs

SIGNATURE ATTESTATION

I hereby attest that, pursuant to N.D. Cal. Civ. L.R. 5-1(i)(3), the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: January 18, 2024

/s/ Mark A. Feller

Mark A. Feller